

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZOBINA GILLANI,

Defendant.

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Criminal Action No. 5:11cr00023

**By: Michael F. Urbanski
United States District Judge**

ORDER

This matter was referred to the Honorable James G. Welsh, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(3), for the purpose of conducting a plea hearing and a plea colloquy under Rule 11 of the Federal Rules of Criminal Procedure and preparing proposed findings of fact and a recommendation as to the acceptance of such plea as tendered. The Magistrate Judge filed a report and recommendation on March 14, 2012, recommending that defendant's plea of guilty to Count 2 of the Indictment be accepted. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety.

While the court believes that the report and recommendation should be adopted in its entirety, the court notes two additions to the report and recommendation that must be made. In the report and recommendation's summary of all of the relevant charges as to defendant in the Indictment, Count 58 is mistakenly excluded. Likewise, the report and recommendation's discussion of the government's obligation to dismiss the remaining counts as to defendant pursuant to the plea agreement also mistakenly excludes reference to Count 58. Thus, the report

and recommendation, while adopted in its entirety, must be supplemented to include the relevant information regarding Count 58.

Count 58 charges that on or about November 27, 2009, defendant, acting as a principal and as an aider and abettor, did knowingly conduct and attempt to conduct a certain specific financial transaction described in the Indictment affecting interstate and foreign commerce, which involved the proceeds of specified unlawful activity, that is trafficking in contraband cigarettes, with the intent to promote the carrying on of said specified unlawful activity, knowing that the transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to conduct such financial transaction defendant knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, all in violation of 18 U.S.C. §§ 1956(a)(1)(A)(i), 1956(a)(1)(B)(i), and 2. Like the remaining charges as to defendant in the Indictment, the government is obligated pursuant to the plea agreement to dismiss Count 58.

Accordingly, **IT IS ORDERED** that the Magistrate Judge's report and the findings and recommendation contained therein are hereby **ACCEPTED IN WHOLE**, noting the necessary additions to the report and recommendation as detailed in this order; defendant's plea of guilty to Count 2 of the Indictment is **ACCEPTED**; and defendant is adjudged **GUILTY** as to that offense. The Clerk of Court hereby is directed to send a certified copy of this Order to all counsel of record.

Entered: April 4, 2012

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge